IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

-

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 14862 of 2004

-

Between:

S. A.R.L. Nagar Raja Simha S/o. V.N.K. Sarveswararao
Dubacherla Village, Nallajerla Mandal, West Godavari

district.

..... PETITIONER

AND

-

1 The District Collector, West Godavari at Eluru,
West Godavari District.
2 The District Panchayat Officer, W.G.District at Eluru.
3 Dubacherla Gram Panchayat, rep. by its Secretary,

Dubacherla, Nallajerla Mandal, W.G.Dist.
4 Gajula Subba Rao Dubacherala Village, Nallajerla

Mandal, W.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ or order or direction, particularly one in the nature of writ of Certiorari calling for the records relating to the order of the 2nd respondent in No.2940/2004-A6 dt.28.7.2004 and quashing the same, holding the same as illegal, arbitrary, unwarranted and against the principles of natural justice, and consequently direct the 3rd respondent not to give permission for construction of church to the 4th respondent.

Counsel for the Petitioner: MR.N.MUKUNDA REDDY

Counsel for Respondent 1 & 2: GP FOR PANCHAYAT RAJ &

RURAL DEVELOPMENT

Counsel for Respondent No.3: D. Srinivas.

The Court at the admission stage made the Following ORDER:

This writ petition is filed by the petitioner questioning the order passed by the District Collector sanctioning the plan for construction of church in R.S.No.860/5 in Dubacherla Gram Panchayat of Nallajerla Mandal and directing the Panchayat Secretary to take further action according to rules.

It is nowhere stated that by construction of Church how the petitioner's rights are infringed and how he is interested to safeguard the rights of the villagers. If the petitioner made any representation to the Collector, it is for the Collector to consider the same and pass appropriate orders, but no Mandamus can be issued against the respondents. The petitioner appears to be motivated by some political vengeance and filed this writ petition.

In view of the judgment of Supreme Court in **Dr. B. Singh Vs. Union of India and others** the writ petition is not maintainable.

Accordingly the Writ Petition is dismissed. No costs.

A. Gopal Reddy, J.

20th August, 2004.

Js.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, West Godavari at Eluru,
West Godavari District.
2 The District Panchayat Officer, W.G.District.
3 Dubacherla Gram Panchayat, rep. by its Secretary,

Dubacherla, Nallajerla Mandal, W.G.Dist.
4 2 CCs to G.P. for Panchayat Raj & Rural Development, High

Court Buildings, Hyderabad. (OUT)

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